REMARKS

Claims 1-37 are pending in the application. Claims 1-37 have been rejected. Claim 1 has been amended. Support for these amendments is provided in the originally-filed specification on page 6, *inter alia*. No new matter has been added.

Rejection of Claims under 35 U.S.C. § 103

Claims 1-10, 12-22, 24-32 and 34-37 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Tajalli et al., U.S. Patent 5,361,359 A ("Tajalli") in view of Noguchi, et al., U.S. Patent 5,812,981 A ("Noguchi"). Applicants respectfully traverse this rejection.

Portions of amended independent claim 1 are given below:

means for selecting:
> business components to be audited from one or more business components,
>> wherein the application program being audited comprises the one or more business components;
> one or more operations on the one or more business components to be audited;
> wherein the application program being audited comprises the means for selecting
>> the business components to be audited and the operations to be audited.

The claimed "means for selecting" is described as being taught by Tajalli's Assured Audit system's audit configuration data. (See Office Action dated October 19, 2005, page 2, last paragraph.) Tajalli's AA system collects audit information regarding, *inter alia*, operating system requests made by ordinary users and application programs. (See Tajalli, column 15, lines 63-66 and column 17, lines 3-5.) The audit configuration data is shown in Fig. 7 as being stored in an audit portion 710 of the protected medium 118aa. The protected medium 118aa is part of the AA system itself, rather than a part of the application programs being audited. The relationship between the protected medium 118a and application programs 514 being audited is shown in Fig. 6. Clearly, data that is stored on the protected medium 118aa is not within the application programs being audited.

If the claimed "means for selecting" is taught by Tajalli's "audit configuration data," the limitation that "the application program being audited comprises ... the means for selecting..." would require that Tajalli's audit configuration data be **included in** the application program being audited. This interpretation is in direct conflict with the description of the audit

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configuration data residing on the protected medium 118aa. Furthermore, data that are stored on the protected medium 118aa are modifiable only through a trusted path mechanism by an administrator of the AA system. This limitation lends further support to Applicants' argument that Tajalli's audit configuration data does not teach the claimed application program being audited comprising the "means for selecting." (See Tajalli, column 15, lines 35-39.)

With regard to independent claim 14, the Office Action states that the claimed "application program compris[ing]... a user interface operable to allow a user to select one or more operations to be audited ..." also is taught by Tajalli's configuration data. Even assuming that an application program did include Tajalli's configuration data (which Applicants have shown is not true, as argued above), the claim further requires, *inter alia*, that the application program include the user interface operable to allow a user to select operations and components. A similar argument applies to the application program 'allowing the user to select one or more of the business components to be audited' in claim independent 24. Tajalli clearly does not teach application programs providing the selection capability.

Applicants respectfully maintain their argument that the teachings of Tajalli have been misinterpreted. Tajalli's AA system is a separate auditing program and is not one of the application programs being audited. The purpose of the AA system is to "enable an administrator to accurately monitor system uses." (See Tajalli, column 7, lines 8-9.) The AA system provides a high level of flexibility in the auditing task, while still allowing ordinary users to create, modify, and execute application programs which do not interfere with the auditing. (See Tajalli, column 7, lines 10-15.) The application programs themselves do not provide the ability to select components, fields and/or operations to be audited, but rather are the targets of the audit process performed by the AA system, and in fact, it is a goal of Tajalli to prevent users and application programs from having such control.

The Office Action states that the "audit configuration data... may indicate which requests are to be audited depending upon ... the nature or identity of an 'object' accessed. (An object could be, for example, a file or a program)"). (See Office Action dated October 19, 2005, page 3, third paragraph, citing Tajalli, column 16, lines 3-24.). Applicants agree. For example, in Fig. 9 step 912, the AA system examines the path name of a program that another application has

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requested to be run. The path name of the program requested is provided by the currently running application program making the request (an exec system call). If the program requested resides on the protected medium in step 914, the request is allowed, as the program is part of the AA system and is under the control of the AA system. If the program requested does not reside on the protected medium in step 914, the request to execute the program is rejected. This scenario merely shows that the audit configuration data is used by the AA system in making the determination whether a request by an application program is allowed or rejected. It shows no relationship between the application program and the components or operations being audited.

Rather than teaching that the "application program being audited comprises ... the means for selecting ...," Tajalli instead teaches away from such a conclusion. Applicants specifically point out the following excerpt from Tajalli, column 15, lines 20-24:

> ... neither application programs 514 nor ordinary users 128 (even those privileged with respect to the underlying operating system) can affect the auditing or the storage of usage auditing in any way.
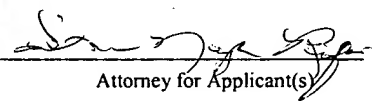
The Office Action dated May 27, 2005, dismisses this portion of the reference by stating that the claims are directed to "pre-auditing" steps. (See Office Action dated May 27, 2005, page 11, first full paragraph.) Applicants respectfully disagree. The claim language refers specifically to the "application program **being audited**," which may include actions performed during the audit process. Furthermore, the Office Action indicates that applications running in Tajalli's AA system environment cannot affect operations performed **during** the auditing process, which directly supports Applicants argument that the application programs cannot provide the ability to select operations and/or components to be audited.

Applicants respectfully submit again that the above excerpt teaches away from an application program being audited containing the ability to select operations and/or components to be audited. As noted in the above excerpt, in Tajalli's system, the application programs cannot affect the auditing in any way, and thus the application programs cannot include means "for selecting the business components to be audited and the operations to be audited."

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is invited to telephone the undersigned at 512-439-5086.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, COMMISSIONER FOR PATENTS, P. O. Box 1450, Alexandria, VA 22313-1450, on January 19, 2006.

_____ ___1/19/06___
Attorney for Applicant(s)   Date of Signature

Respectfully submitted,

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